

REMARKS

I. Introductory Remarks

This is a full response to the outstanding non-final Office Action mailed July 14, 2005. Through this response claims 1–11 have been withdrawn and claims 12–17 have been amended. Claims 21–29 are new in this response. Claims 12–29 are pending in the present application. In view of the following remarks, reconsideration and allowance of the application and presently pending claims are respectfully requested.

II. Information Disclosure Statement

In the July 14, 2005, Office Action, the Examiner requested that Applicants specify which prior art as cited on the previously submitted PTO-1449 forms have particular relevancy to the patentability of the presently claimed invention.

In response to the Examiner's request, Applicants would respectfully turn the Examiner's attention to the information disclosure statement as filed by Applicants on August 14, 2003. Applicants would respectfully specify that the Examiner consider citations nos. 24 and 31–33 as being of particular pertinence to the presently pending application. Applicants are currently not aware of any additional citations that comprise any significant relevance to the presently pending patent application.

III. Rejections as to Substance

In the Office Action of July 14, 2005, the Examiner rejected claims 12–14 under 35 U.S.C. § 101. Claims 12 and 15–17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Federal Information Processing Standards Publication 186 (FIPS 186). Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over FIPS 186 in view of U.S. Patent No. 6,775,772 issued to Binding. Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over FIPS 186 in view of U.S. Patent No. 6,073,237 issued to Ellison. Claim 18, was rejected under 35 U.S.C. § 103(a) as being unpatentable over FIPS 186 in view of Applicants' admitted prior art. Lastly, claims 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FIPS 186 in view of U.S. Patent No. 6,594,759 issued to Wang.

Currently, independent claim 12 has been amended and independent claim 21 and dependent claims 22–29 have been added. Independent claims 12 and 21 recite limitations that are directed to the generation of a digital signature for use as a random number for utilization in an application that requires a random number. Further, both claims recite limitations directed to generating at a device a digital signature using a digital signature algorithm and using the generated digital signature as the random number in an application that is external to the device.

Support for the presently claimed amendments can be found at page 17, lines 20–24, and page 40, line 36 — page 41, line 18. No new matter has been added by this amendment.

As per the rejection of claims 12–14 under 35 U.S.C. § 101, as being directed to non-statutory subject matter, as referenced above, independent claim 12 has been amended to recite limitations that are directed to a new and useful process. In light of the amendments to claim 12, the Applicants respectfully request that the rejection of claims 12–14 under 35 U.S.C. § 101 be withdrawn.

In regard to claim 12, the Examiner has cited FIPS 186 for disclosing a digital signature algorithm (DSA), wherein the digital signature is generated by a sender, the digital signature being a random number.

Specifically, FIPS 186 describes a suite of algorithms that are used to generate a digital signature. Moreover, the digital signatures are used to detect unauthorized modifications to data and to authenticate the identity of the signatory. In addition, the recipient of signed data can use the digital signature in proving to a third party that the signatory in fact generated the signature.

In contrast to the presently claimed invention, FIPS 186 does not disclose or describe a system or method wherein a private key of a public/private key pair is stored within a device in addition to the generation of a digital signature within the device and thereafter using the generated digital signature as the random number in an application that is external to the device. Nowhere in FIPS 186 are specific structures described wherein digital signatures may be generated. Specifically, FIPS 186 merely describes problem-solving procedures for generating digital signatures, nowhere in FIPS 186 is described or

disclosed any devices or methods for using devices to accomplish the objectives of FIPS 186.

Thus, FIPS 186 does not describe or disclose storing a private key of a public/private key pair within a device and generating a digital signature at a device and thereafter using the generated digital signature as the random number in an application that is external to the device. Therefore, in view of the fore-mentioned argument, the Applicants respectfully request that the rejection of independent claim 12 under 35 U.S.C. § 102 (b) be withdrawn.

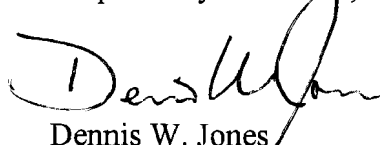
CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 12-29, are in condition for allowance. Favorable consideration and allowance of the present Application and all pending claims are hereby courteously requested.

If, in the opinion of the Examiner, there are any issues that can be resolved by telephone conference, or if there are any informalities that may be addressed by an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (404) 233-7000.

The Commissioner is hereby authorized to charge any fees due, or credit any overpayment, to Deposit Account No. **50-3537**.

Respectfully submitted,


Dennis W. Jones
Reg. No. 51,128

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Morris, Manning and Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, N.E.
Atlanta Georgia 30326
404-233-7000 Main
404-365-9532 Facsimile
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